

further consideration of prior art by the Examiner. It is also submitted that, upon consideration of amended Claims 1 and 22, they should be found allowable.

With reference to Claim 1, it calls for, among other things, obtaining information from each of first and second consumers using one or both of first and second written survey questions and first and second telecommunications survey questions, respectively. The information from each of the first and second consumers is stored in data storage means. Additionally, the first and second identification cards are supplied to each of these two different consumers. The method also recites the step of receiving the first identification card for the first time in an interactive apparatus and receiving the second identification card for the first time in the interactive apparatus.

After receiving the first identification card, a number of events or steps occur. The combination thereof is not disclosed in the prior art. Specifically, the interactive apparatus generates a first coupon having specific product information, expiration information and discount information. Additionally, after receiving the first identification card, the interactive apparatus generates a first benefit receipt. The prior art, on the other hand, implements different procedures and does not have steps comparable to Applicant's claimed features. In particular, the DeLapa patent describes a system for providing coupons for redemption. The coupons are prepared for a specific customer and are mailed to the customer. The coupons include the identification of the specific customer. The customer is induced to shop at a particular retailer (column 5, lines 19-28). When a coupon is redeemed, information is used to determine coupons that are to be next generated for that particular customer.

The Day patent discloses a “paperless coupon system” for providing customized special offers to consumers (column 2, lines 37-40). Each customer receives a card associating it with a particular customer account and a store in a chain of stores (column 4, lines 25-41). Each store has one or more kiosks. The customer inserts the identification card into the kiosk. The kiosk outputs a shopping list of special offers for that customer. The same shopping list can include a lottery number. When checking out items at the time of purchase by the consumer, comparisons are made between the items being purchased and the special offer items. The checking out includes inputting identification card information.

Based on the foregoing, it is clearly evident the DeLapa patent teaches no interactive apparatus comparable to that being claimed in Claim 1, including the steps performed by the interactive apparatus. An attempt is made to combine, by unwarranted hindsight, the DeLapa patent and the contents of the Day patent. While holding in abeyance the impropriety of making such a combination, and assuming arguendo that such a combination could be made, it fails to meet the language of Claim 1.

Specifically, Applicant’s method requires that both a first coupon and a first benefit receipt different from and separate from the first coupon be generated. Each of these two items is generated in response to the first identification card from the first consumer.

The Day patent teaches the step of providing a single list that includes special offers and a lottery number. Dissimilarly, Applicant’s claim involves generating both a first coupon and a first benefit receipt different from the coupon. Relatedly, the first benefit receipt is generated after the interactive apparatus receives a response from the first consumer to at least a first interactive survey question. Importantly, the first interactive survey question is different from any specific product that can be purchased by the consumer

and is different from identification information related to the first consumer. Such a survey question can include marketing or other data, such as opinions or reactions from the consumers to one or more topics. Hence, Applicant's methodology involves the ability to gather diverse and ubiquitous information generally concerning the purchasing interests or habits of the consumer. In contradistinction, not only do the DeLapa and Day patents fail to suggest these requirements concerning the survey question and the benefit receipt based thereon, they do not teach or suggest that the first interactive survey question is different from any specific product that can be purchased by the first consumer and that it also be different from identification information related to the first consumer.

This claim language directly addresses the contentions made by the Examiner in the previous Action. More specifically, Claim 1 recites that both a first coupon and a first benefit receipt are generated for the first consumer in response to the first identification card being received for the first time by the interactive apparatus. The prior art does not disclose an interactive apparatus that separately outputs both a coupon and a benefit receipt for the same consumer in response to receipt of an identification card for the first time. Indeed, the Day system touts itself as a "paperless coupon system" and the DeLapa patent is based on sending coupons through the mail. Furthermore, neither of these two patents discloses or suggests the requirement that the first benefit receipt be output at least in response to a first interactive survey question that is different from specific product information and is also different from identification information.

In addition, in order to emphasize the kind of flexibility of the interactive apparatus that is not found in the prior art, Claim 1 further requires the step of generating a second coupon. The second coupon is generated after the interactive apparatus receives the second

identification card of the second consumer. In generating the second coupon, data is relied on that was obtained from one of the second telecommunication survey questions and the second written survey questions. The Day patent does not teach an interactive apparatus that generates a coupon having a specific product information, expiration information and discount information nor does the Oyama system. Since neither of these two patents suggests such an interactive apparatus, they certainly do not suggest that the second coupon generation is based on information either obtained from second telecommunications survey questions or second written survey questions. The Day system, when receiving customer identification information for the first time, simply provides a list related to specific products that can be purchased.

In view of the claim amendments made in reply to the Examiner's positions on the prior art, it is submitted that further amended Claim 1 should be considered and found allowable.

Claim 22 is an independent apparatus claim that is substantially similar in scope to independent method Claim 1 and should be found allowable for the same reasons. Claim 22 defines a system for obtaining and responding to information from a number of consumers including a first consumer and a second consumer. The system includes an interactive apparatus. The interactive apparatus has a number of components including: an identification device, a managing apparatus, a printer, an output device and an input device.

The managing apparatus is involved with a number of controls, namely: it controls generation of a first coupon having specific product information, expiration information and discount information and controls generation of a first benefit receipt separate from and

different from the first coupon. Each of the first coupon and the first benefit receipt is generated in response to the first identification card of the first consumer being received by the identification device. The managing apparatus also controls generation of a second coupon having specific product information, expiration information and discount information. The second coupon is generated after the second identification card is received by the identification device. As established in the discussion of Claim 1, this combination of features is not found in the purported combination of the DeLapa and Day patents. No such flexibility in the controls and operations of an interactive apparatus are found in the prior art or any combination thereof. This is particularly evident in the further requirement of Claim 22 that the input device be used to enter a response by the first consumer to a first survey question. The first benefit receipt is printed by the printer after the response is input. As further defined by Claim 22, the first survey question is directed to one of opinion information and general product information. As previously pointed out, the Day patent is seriously deficient in suggesting the requirement of a survey question as part of the managing apparatus generating a first benefit receipt that the first consumer receives, as well as receiving a first coupon. Moreover, the Day patent clearly lacks any teaching directed to an interactive apparatus in which the first survey question is directed to one of opinion information and general product information. Instead, the Day system discloses a product list for specific products which the Day system is enticing the consumer to buy.

Based on substantially the same reasoning set forth in the discussion of Claim 1, Claim 22 should be considered and found allowable.

All of the dependent claims depend from one of Claim 1 and Claim 22. In light of their patentable limitations, together with the patentable distinctions of the independent

claims from which each depends, Claims 2, 4-7, 9-10, 24 and 27 should also be held allowable.

A sincere effort has been made to overcome the positions taken by the Examiner in the Office Action Made Final. Entry of this Amendment After Final and the finding of allowability of the remaining patent application claims are respectfully requested.

Respectfully submitted,

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